

of the State of Iowa, That there be and hereby is appropriated out of any moneys in the State Treasury not otherwise appropriated, the sum of fifteen hundred dollars for the purpose of fencing and otherwise improving the plat of ground known as the Capitol Square, in the city of Des Moines; *Provided*, That nothing in this Act contained shall be construed into any waiver by the State of any right of the State by reason of any defect in the title to said plat of ground, if any such defect exist, nor into any waiver of any right of the State by reason of any objection to the action of the Commissioners appointed to select and locate such plat of ground, if any such objections exist.

\$1,500 appropriated for improvement.

State does not waive rights

SEC. 2. Said improvement shall be made under the direction of the Secretary of State, who shall cause said work to be done in such manner as he may think best for the interest of the State, and he shall draw his warrant upon the Auditor from time to time as the work may progress, but no draft shall be drawn except upon estimates of work done or material furnished.

Sec'y of State to direct the work.

SEC. 3. Such work shall be executed upon such plan and to such extent as shall not involve the expenditure of a greater amount of money than is herein appropriated.

Limit of expenditure.

SEC. 4. This act to take effect and be in force from and after its publication in the Iowa Citizen and Iowa State Journal.

Take effect.

Approved March 22d, 1858.

I hereby certify that the foregoing Act was published in the Iowa Citizen on the 7th day of April, 1858, and in the Iowa State Journal on the 3d day of April, 1858.

ELIJAH SELLS,  
Secretary of State.

## CHAPTER 131.

### INCORPORATION OF SOCIETIES.

AN ACT for the Incorporation of Benevolent, Charitable, Scientific or Missionary Societies.

SECTION 1. *Be it enacted by the General Assembly of*

Society formed  
by certificate.

*the State of Iowa*, That any three or more persons of full age, citizens of the United States, a majority of whom shall be citizens of this State, who shall desire to associate themselves for benevolent, charitable, scientific, religious or missionary purposes, may make, sign and acknowledge before any officer authorized to take the acknowledgments of deeds in this State and file in the office of the Secretary of State, and also in the office of the Recorder of the county in which the business of such society is to be conducted, a certificate in writing, in which shall be stated the name or title by which such society shall be known in law, the particular business and objects of such society, the number of trustees, directors or managers to manage the same, and the names of the trustees, directors or managers of such Society for the first year of its existence.

Acknowledged  
and filed.

Incorporated.

SEC. 2. Upon filing a certificate as aforesaid, the persons who shall have signed and acknowledged such certificate, and their associates and successors shall thereupon, by virtue of this act be a body politic and corporate by the name stated in such certificate and by that name they and their successors shall and may have succession and shall be persons in law capable of suing and being sued, and they and their successors may have and use a common seal and the same may alter or change at pleasure; and they and their successors, by their corporate name shall in law be capable of taking, receiving, purchasing and holding real and personal estate, to make by-laws for the management of its affairs, not inconsistent with the Constitution and laws of this State or of the United States, to elect and appoint the officers and agents of such society for the management of its business.

Powers of corporation.

Trustees elected.

SEC. 3. The society so incorporated may annually or oftener elect from its members its trustees, directors or managers at such time and place in such manner as may be specified in its by-laws, who shall have the control and management of the affairs and funds of said society, a majority of whom shall be a quorum for the transaction of business, and whenever any vacancy shall

happen among such trustees, directors or managers, by death, resignation or neglect to serve, such vacancy shall be filled in such manner as shall be provided by the by-laws of such society. Vacancy.

SEC. 4. In case it shall at any time happen that an election of trustees, directors or managers shall not be made on the day designated by the by-laws, said society for that cause shall not be dissolved, but it shall and may be lawful on any other day to hold an election for trustees, directors or managers, in such manner as may be directed by the by-laws of such society. Failure to elect not dissolve corporation.

SEC. 5. The provisions of this Act shall not extend or apply to any association or individual who shall in the certificate filed with the Secretary of State or with the Recorder, use or specify a name or style the same as that of any previously existing incorporated society in this State. Name and style

SEC. 6. Any corporation formed under this Act shall be capable of taking, holding or receiving any property real or personal, by virtue of any devise or bequest contained in any last will or testament of any person whatsoever; provided, no person leaving a wife or child or parent shall devise or bequest to such institution or corporation more than one-fourth of his or her estate, after the payment of his or her debts, and such devise or bequest shall be valid to the extent of such one-fourth. Corporation may hold property.  
No person bequeaths more than one-fourth of property.

SEC. 7. The trustees, directors or stockholders of any existing benevolent, charitable, scientific or missionary or religious corporations may, by conforming to the requirements of the first section of this Act, re-incorporate themselves or continue their existing corporate powers, and all the property and effects of such existing corporation shall vest in and belong to the corporation so re-incorporated or continued. Societies re-incorporated.

Approved March 22d, 1858.